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Agency Secretary
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Department of Toxic Substances Control

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Arnold Schwarzenegger
Governor

February 10, 2006

To All Interested Parties:

The Department of Toxic Substances Control (DTSC) is conducting workshops to discuss adoption of federal manifest regulations in California on March 13, 2006 in Sacramento and March 15, 2006 in Cypress.

A new federal manifest form, related instructions and procedures take effect on September 5, 2006. DTSC will be adopting regulations to bring California manifest requirements into conformance with the new federal regulations where the changes are mandated and to integrate more stringent existing state requirements as allowed.

The significant changes include:

- Elimination of state manifest forms and instructions.
- Adoption of new federal manifest, continuation sheets, and instructions. (California will continue to require submission of manifest copies from generators and facilities, including out of state facilities.)
- New procedures for load rejections and more detailed discrepancy descriptions with additional fields for international shipments.
- Addition of generator site address on each manifest and room for up to six federal or state waste codes for each waste stream.

The major issues DTSC is inviting comment at the workshop are:

1. Are there any "fatal flaws" in conforming state manifest and related regulations to the federal changes, keeping existing state statutes and regulations in mind?
2. Are there other changes needed to the regulations as written? Explain your proposed change, the benefits, and how it would be considered non-substantive or non-discretionary.
3. What kind of outreach to the regulated community is needed to implement this "turn-on-a-dime" change on September 5, 2006?
4. What else could DTSC do to assist compliance with these regulations by the regulated community?

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After the workshops, DTSC plans to adopt regulations to integrate these new requirements into California law before the September 5, 2006 implementation date. DTSC is currently planning to adopt these regulations under Section 100 of the Administrative Procedures Act governing non-substantive and non-discretionary regulatory changes, which does not include public notice and hearing, and formal comments. These workshops will be the primary opportunity for input into these regulations.

Additional Information:

Various documents are available on the DTSC web site, including an agenda for the workshops, a copy of the new manifest form and continuation sheet, a summary of the changes, and fact sheets. Draft regulation language will be added in the next few weeks and we will issue a second ListServ notice when the draft regulation text has been posted.

This information can be found on the DTSC web site at www.dtsc.ca.gov/LawsRegsPolicies/Regs/Manifest_Changes_regs.cfm. It is under **Laws, Regulations, and Policies** in the left bar, then click on **DTSC Rulemakings**, then **Regulatory Concepts**, then **Conforming Manifest Regulations**. The Summary Charts highlight federal changes and where California will differ.

After your review of the summary, agenda, or draft regulatory language, if you have questions that you would like addressed at the workshop, please submit them via email to CAManRegs@dtsc.ca.gov by March 8, 2006.

The workshops will be held at the following times and places:

DATE: Monday, March 13, 2006 (including webcast and e-mail access)

TIME: 9:30 a.m.

LOCATION: Cal/EPA Headquarters Building

Byron Sher Auditorium (limit 275 people)

1001 "I" Street, 2nd Floor

Sacramento, CA 95814

DATE: March 15, 2006 (no webcast or e-mail access at this location)

TIME: 10 a.m.

LOCATION: DTSC Cypress Office

Auditorium/All Staff Meeting Room (limit 70 people)

5796 Corporate Avenue

Cypress, CA 90630

Note: Visitors must check in with security upon entering the Cal/EPA Building and DTSC Regional Offices.

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All interested parties are invited to participate in these public workshops. Please confirm your interest in attending either workshop by sending an e-mail notice indicating which workshop location you will be attending to **Margaret Butler via email at mail to: MButler@dtsc.ca.gov** or by calling **(916) 324-2423**.

Interested participants who are unable to attend these sessions may monitor the Sacramento workshop on March 13th from the Cal/EPA building live through an audio webcast. The broadcast link will be available on the California Environmental Protection Agency (Cal/EPA) website at www.calepa.ca.gov/broadcast. Questions and comments may be submitted in real time by sending an e-mail message to Auditorium@calepa.ca.gov. (This e-mail address is valid only for the duration of the workshop; all other correspondence should be made in accordance with the contact information listed at the end of this notice). No links are available for the March 15th workshop.

DTSC staff will monitor e-mails received during the workshop and, as time allows, read and respond to them aloud. All questions and comments submitted via e-mail will be considered when DTSC finalizes the proposed regulations and implementation strategy.

To request special accommodations for persons with disabilities, please contact Margaret Butler via email at: MButler@dtsc.ca.gov or by calling (916) 324-2423. Travel information is available at www.calepa.ca.gov/EPAbldg/Location.htm.

Notice to Hearing Impaired: To obtain additional information, use the California State Relay Service at 1-888-877-5378 (TDD). Ask them to contact Margaret Butler via email at: MButler@dtsc.ca.gov or by calling (916) 324-2423.

Contact Information: If you have any further questions about the workshop, or wish to submit written comments regarding the proposed regulations or implementation strategy, please contact the regulation writer, via email at CAManRegs@dtsc.ca.gov or contact Ms. Hortensia Muniz at 916-324-1818.

Additionally, if you would like to receive email updates regarding the draft regulations, please subscribe to the DTSC list service for the Manifest Regulations at www.calepa.ca.gov/Listservs/dtsc.

Written comments may be mailed to:
Department of Toxic Substances Control
Attn: Manifest Regulations
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